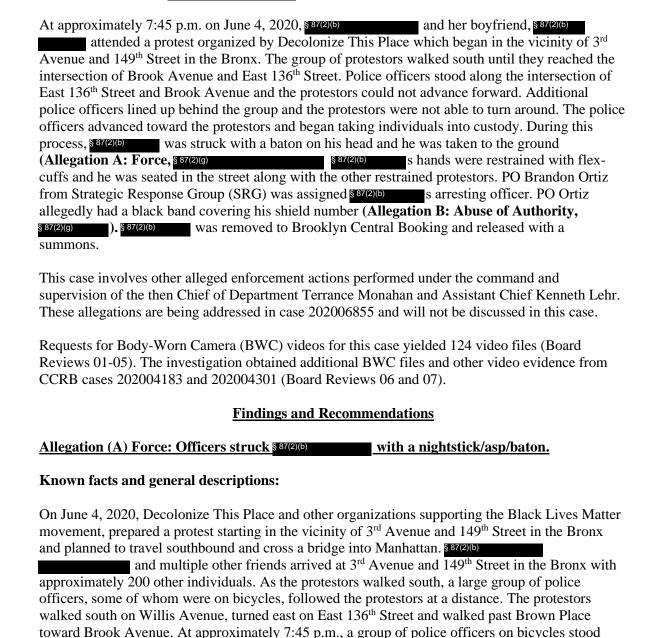
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	V	Force	☐ Discourt.	☐ U.S.
Valentina Concha-Toro		Squad #15	202100597	V	Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:		F	Precinct:	18 Mo. SOL	EO SOL
Thursday, 06/04/2020 7:45 PM		Brook Avenue and East 136th Street			40	12/4/2021	5/4/2022
Date/Time CV Reported		CV Reported At:	How CV Reported:		Date/Time	Received at CC	RB
Mon, 01/25/2021 11:07 AM		CCRB	On-line website		Mon, 01/2	5/2021 11:07 A	М
Complainant/Victim	Type	Home Addre	ss				
Witness(es)		Home Addre	ss				
Subject Officer(s)	Shield	TaxID	Command				
1. Officers							
2. PO BRANDON ORTIZ	04224	950986	SRG 5				
Witness Officer(s)	Shield N	o Tax No	Cmd Name				
1. POM Kyrollos Ebraheem	05451	963500	078 PCT				
2. COD Terence Monahan	00000	876747	CD OFF				
3. POF Sandra Gonzalez	14838	961793	SRG 2				
4. POM Ermir Aliaj	18857		SRG 1				
5. CPT Julio Delgado	00000		SRG 2				
6. INS Michael Cody	00000	887177	PBMN				
Officer(s)	Allegatio	on			Inve	stigator Recor	nmendation
A. Officers		fficers struck ^{§ 87(2)(b)} k/asp/baton.	with a				

Officer(s)	Allegation	Investigator Recommendation
B.PO BRANDON ORTIZ	Abuse: Police Officer BRANDON ORTIZ obstructed his shield number.	

Case Summary

submitted this complaint to the CCRB.



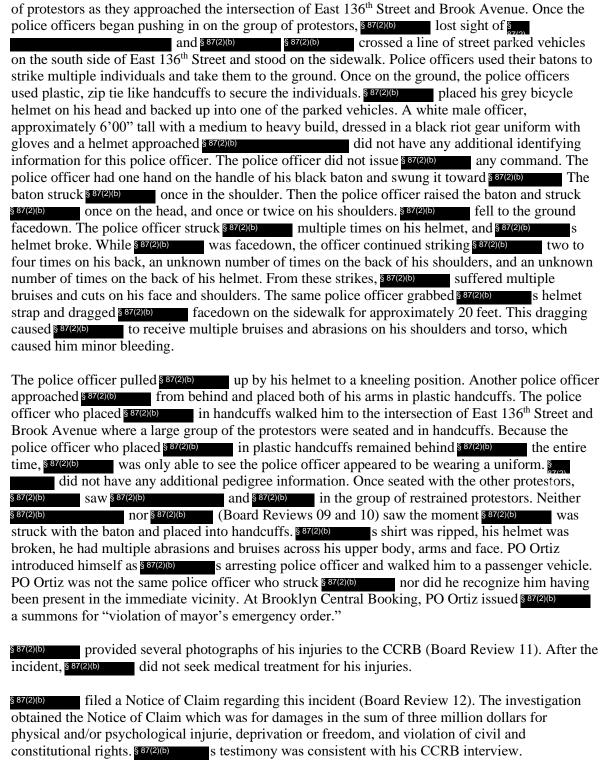
stated (Board Review 08) that he was dressed in jeans, a yellow t-shirt, with a backpack and a gray bicycle helmet. \$87(2)(b) had been walking in the middle of the group of protestors with \$87(2)(b) and friends, including \$87(2)(b) and \$87(2)(b) were walking in the middle of the group

along East 136th Street, blocking the intersection of East 136th and Brook Avenue. A group of police officers lined up behind the group along East 136th Street past Brown Place. Along both sides

on East 136th Street were residential buildings which did not have any exit available for the protestors. The two groups of officers approached the group of protestors and pushed the group

together from the front and back. Police officers began taking protestors into custody.

On January 25, 2021, § 87(2)(b)



BWC:

A total of 124 BWC video files were obtained for this case (Board Reviews 01-05). All 124 videos were reviewed, in addition to a BWC videos obtained from case 202004183 (Board Review 06).

At 17:30 minutes into PO Granit Shaba's BWC video (Board Review 04), [887(2)(b) is captured
kneeling toward the edge of the sitting group of protestors. §87(2)(b) is stating that his handcuffs
are too tight, and eventually a member of service wearing a white shirt changes \$87(2)(b)
handcuffs. § 87(2)(b) does not have his helmet on his head and his shirt is torn at the shoulder.
The video does not capture \$87(2)(b) prior being in the group of handcuffed protestors. The
video does not capture \$87(2)(b) being walked to where he is kneeling or the incident when
was struck with a baton.

None of the 125 BWC videos obtained captured \$87(2)(b) at any other point during the incident, and specifically, none of the BWC files captured the moment \$87(2)(b) was struck with a baton.

NYPD Documents Reviewed:

The investigation received negative results for any Threat Resistance and Injury Report, or AIDED reports prepared for \$87(2)(b) (Board Review 13).

PO Ortiz issued \$87(2)(b) the summons \$87(2)(b) for "violation of mayor's emergency order," but no additional details were noted (Board Review 11).

The Mass Arrest Report for this incident was copied from CCRB case 202004094 (Board Review 14). §87(2)(b) does not appear on the lists of individuals.

The Detailed Roster for this incident was copied from CCRB case 202004094 (Board Review 15). It noted that a total of 30 lieutenants, 82 sergeants, 598 detectives and/or police officers, in addition to multiple captains and other high-ranking members-of-service were deployed to the Bronx in preparation for this incident.

Concurrent Investigations:

A total of 26 other cases from this incident were submitted to the CCRB for investigation.

and \$87(2)(b) and \$87(2)(b) provided information regarding allegations which were addressed in CCRB case #202006855. This case involves other allegations enforcement actions performed under the command and supervision of the then Chief of Department Terrance Monahan and Assistant Chief Kenneth Lehr.

No other CCRB case involved any of the witnesses or victim in this case.

Ranking Officers:

The investigation determined that the then Chief of Department Monahan was the highest-ranking officer on scene; he is currently no longer a member of the NYPD. Assistance Chief Lehr was present during this incident but based on the civilian statements obtained, he did not directly interact with \$87(2)(6) or directly instruct any other officer to do so.

Officers Interviewed:

There were no officers interviewed for this case.

Allegation Recitation and Disposition:

The investigation was able to obtain three civilian statements for this incident. §87(2)(9)
§ 87(2)(g)
Allegation (B) Abuse of Authority: Police Officer Brandon Ortiz obstructed his shield number.
stated (Board Review 08) that after he had been placed in flex-cuffs and was in the group of restrained protesters, PO Ortiz approached him and informed \$87(2)(b) he was his arresting police officer. \$87(2)(b) had not seen PO Ortiz prior to this introduction. PO Ortiz was wearing a regular NYPD uniform with a metallic shield and name tag which read "Ortiz." PO Ortiz had a black tape across the numbers on his shield. PO Ortiz walked \$87(2)(b) to a passenger van with multiple other individuals. The passenger van first went to Queens Central Booking but when informed that it was at capacity, the passenger van took \$87(2)(b) and the other individuals to Brooklyn Central Booking. PO Ortiz issued \$87(2)(b) a summons for "violation of mayor's emergency order" an released him.
The summons issued to was was was estable (Board Review 11). The issuing police officer was PO Ortiz whose tax number was noted as #950986.
Searches in CTS for the tax number on the summons yielded results for one police officer, PO Brandon Ortiz, shield number 04224, and who was assigned to the Strategic Response Group.
At 1:17 minutes into Sgt. Joseph Cammarano's BWC video (Board Review 04), an officer dressed in an SRG uniform with the name 'Ortiz' and shield number '4224' stitched onto the right side of his chest was captured. There was no black tape or any other object obstructing the shield number on the uniform.
§ 87(2)(g)
§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which \$87(2)(b) has been a party (Board Review 16).
- This is the first CCRB complaint to which \$87(2)(b) has been a party (Board Review 17).
- PO Ortiz has been a member-of-service for 10 years and this is the first CCRB complaint to which he has been a subject.

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- According to the Office of Court Administration (OCA), \$87(2)(b) has no history of convictions in New York City (Board Review 18).
- According to the Office of Court Administration (OCA), \$87(2)(b) has no history of convictions in New York City (Board Review 19).
- filed a Notice of Claim with the City of New York claiming physical, emotional and punitive damages, injury from conduct violating NYPD policies and prior court rulings with the consent, support and/or indifference of NYPD leadership and New York City, as well as compensation for medical expenses and lost wages, and is seeking 10,000,000.00 dollars as redress. A 50H hearing was held on \$87(2)(0) (Board Review 20).
- \$87(2)(b) filed a Notice of Claim with the City of New York claiming physical and/or psychological injuries, deprivation of freedom, violation of civil and constitutional rights, and property loss, and is seeking 3,000,000.00 dollars as redress. A 50H hearing was held on \$87(2)(b) (Board Review 12).

Squad:	15		
Investigator:	Valentina Concha-Toro Signature	Inv. Valentina Concha-Toro Print Title & Name	03/16/2022 Date
Squad Leader:	Sinon Wang	IM Simon Wang Print Title & Name	03/16/22 Date
Reviewer:	Signature	Print Title & Name	Date